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11 *Attorneys for Defendants AquaWorks Construction Inc.,  
12 Randy Wilmeth and Kim Hollenbeck*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 AQUATECH CORPORATION, d/b/a  
16 UNITED AQUA GROUP, a Delaware  
17 corporation,

18 Plaintiff,

19 v.

20 AQUAWORKS CONSTRUCTION INC., a  
21 Colorado corporation; RANDY WILMETH,  
22 an individual; and KIM HOLLENBECK, an  
23 individual,

24 Defendants.

25 Case No. 2:23-cv-01131-MMD-DJA

26 **STIPULATION AND ORDER TO  
27 EXTEND TIME FOR DEFENDANTS TO  
28 RESPOND TO COMPLAINT**

29 Defendants AquaWorks Construction, Inc. ("AquaWorks"), Randy Wilmeth ("Wilmeth")  
30 and Kim Hollenbeck ("Hollenbeck") (collectively, "Defendants"), by and through their  
31 undersigned counsel, and Plaintiff Aquatech Corporation d/b/a United Aqua Group ("Plaintiff"),  
32 by and through its undersigned counsel, hereby stipulate and agree, subject to this Court's  
33 approval, as follows:

34 WHEREAS, Plaintiff filed its Complaint initiating this matter on July 19, 2023;

35 WHEREAS, Defendants were served with the Summons and Complaint on July 31,  
36 2023;

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1           WHEREAS, Wilmeth and Hollenbeck are residents of the State of Colorado, and  
2 AquaWorks is a Colorado corporation principally doing business in the State of Colorado;

3           WHEREAS, after being served with the Summons and Complaint, Wilmeth and  
4 Hollenbeck were travelling on a trip planned prior to the initiation of this lawsuit which delayed  
5 their ability to identify, interview and retain legal counsel in Nevada, a State in which  
6 AquaWorks does not regularly conduct business;

7           WHEREAS, the undersigned counsel for Defendants was retained on Friday, August 18,  
8 2023, and the current deadline to file a responsive pleading to the Complaint is Monday, August  
9 21, 2023;

10          WHEREAS, Plaintiff has agreed to provide the Defendants up to and including  
11 September 5, 2023, to respond to Plaintiff's Complaint; and

12          WHEREAS, this is the first request filed with this Court to extend the time for the  
13 Defendants to respond to Plaintiff's Complaint and Defendants have requested the extension in  
14 good faith and not to delay this matter.

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1           ACCORDINGLY, the Parties hereby request that the Court grant this Stipulation to  
2 extend the deadline for Defendants to file a responsive pleading to the Complaint until  
3 September 5, 2023.

4 DATED this 21st day of August, 2023.

5 SEMENZA KIRCHER RICKARD

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7 /s/ Christopher D. Kircher  
Christopher D. Kircher, Esq., Bar No. 11176  
Katie L. Cannata, Esq., Bar No. 14848  
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11  
12 *Attorneys for Defendants AquaWorks  
Construction Inc., Randy Wilmeth  
and Kim Hollenbeck*

DATED this 21st day of August, 2023.

LEWIS ROCA ROTHGERBER CHRISTIE  
LLP

6  
7 /s/ Benjamin Struby  
John Bragonje, Esq., Bar No. 9519  
3993 Howard Hughes Pkwy, Ste. 600  
Las Vegas, Nevada 89169  
-and-  
Benjamin Struby, Esq.,  
*(pro hac vice forthcoming)*  
2345 Grand Blvd., Ste. 2200  
Kansas City, MO 64108-2618

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14 *Attorneys for Plaintiff*

15           **ORDER**

16 IT IS SO ORDERED.



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18           UNITED STATES MAGISTRATE JUDGE

19           DATED: 8/22/2023

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